

### **REMARKS/ARGUMENTS**

Claims 34-40, 42, 46, 51-57, and 59 have been amended, and claims 72 and 73 have been newly added. Claims 34-46, 51-64, and 69-73 are now pending in the application. Claims 69 and 70, however, are withdrawn as drawn to a non-elected claim. Claims 1-33, 47-50, and 65-68 were previously canceled. Applicants respectfully request reexamination and reconsideration of the application.

Initially, Applicants acknowledge with appreciation the return of the list of references cited in IDS's received by the PTO on April 7, 2003 and August 11, 2003. Applicants note that the list of references returned from the August 11, 2003 IDS was not initialed, which appears to have been an over sight. Applicants enclose another copy of the August 11, 2003 IDS and request that it be initialed and returned.

Applicants have received an initialed copy of the references cited in an IDS received by the PTO on September 25, 2001, but Applicants have not received an initialed copy of the references cited in an electronically filed IDS dated April 1, 2003. Applicants enclose a copy of the electronically filed IDS dated April 1, 2003 IDS and ask that the list of references be initialed and returned.

Claims 36-40 and 53-57 were rejected under 35 USC §112, second paragraph as indefinite. Applicants have amended those claims to address the Examiner's concerns and believe that the claims are now definite. More specifically, claims 36-40 depend from claim 34, which describes the "shape" of the beam as "comprising a contour that affects a deflection characteristic of the beam." This describes a structural characteristic of the beam, namely, the shape of the beam. Claims 36-40 further describe structural characteristics of the beam. For example, claim 36 states that the contour—which is a structural characteristic of the beam—of the beam has a greater bending moment than the beam would have without the contour. Claims 37-40 similarly describe structural characteristics of the beam. Independent claim 51 and dependent claims 53-57 have been similarly rewritten to describe structural characteristics of the beam. Therefore, the rejection of claims 36-40 and 53-57 as indefinite has been overcome and should be withdrawn.

Claims 34-42,45, 46, 51-59, 63, and 64 were rejected under 35 USC §102(b) as anticipated by WO 96/154458 to Khandros et al. ("Khandros"). Applicants respectfully traverse this rejection.

Generally speaking, independent claim 34 includes a probe card, a contactor, and "an interposer interconnecting said probe card and said contactor." The spring contacts of claim 34 of the instant application comprise a base and a lithographically formed, cantilevered beam. Lithographic formation describes more than a mere process step but also describes structural characteristics of the beams. For example, because the beams of claim 34 are lithographically formed, they can be smaller and arrayed in tighter, more precise pitches than interconnection elements such as those disclosed in Khandros. As another example, the beams of claim 34 may be formed in more shapes than interconnection elements like those disclosed in Khandros. Therefore, the lithographically formed beams of independent claim 34 patentably distinguish over Khandros.

Claims 35-42, 45, and 46 depend from independent claim 34 and therefore also patentably distinguish over Khandros. For example, claims 36-40 describe a contour (which composes a shape of the beam of each spring contact) as imparting a physical characteristic to the beam that the beam would otherwise not have. For example, claim 36 states that the contour of the beam gives the beam a greater bending moment than the beam would have without the contour. Similarly, claim 37 states that the contour of the beam gives the beam a greater elastic range than the beam would have without the contour. Dependent claim 42 states that the contour of the beam is along a cross-sectional width of the beam. Khandros does not illustrate interconnection elements 514 and 516 in cross-section and thus does not provide teachings regarding the cross-sectional width of interconnection elements 514 and 516. Thus, dependent claims 35-42, 45, and 46 further distinguish over Khandros.

Independent claim 51 also describes beams of the spring contacts as "lithographically formed." Claim 51 therefore also distinguishes over Khandros. Dependent claims 52-59, 63, and 64 depend from claim 51 and therefore also patentably distinguish over Khandros. In addition, claims 52-59, 63, and 64 describe additional features some of which are similar to features described above with respect to claims 35-42, 45, and 46 that further distinguish over Khandros.

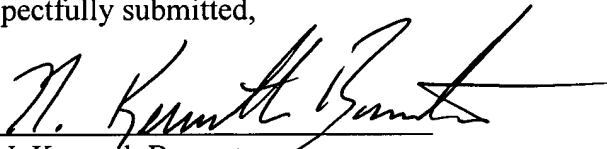
For all of the foregoing reasons, claims 34-42, 45, 46, 51-59, 63, and 64 as well as new claims 72 and 73 (which depend from independent claim 34 or independent claim 51) patentably distinguish over Khandros.

Claims 43, 44, 60-62, and 71 were rejected under 35 USC §103(a) as obvious in view of Khandros and US Published Patent Application 2001/0012739 to Grube et al. ("Grube"). Applicants respectfully traverse this rejection on the grounds that Grube is not available is prior art under the provisions of 35 USC §103(c) because Grube was owned by FormFactor, Inc. and, at the time of the invention described in claims 43, 44, 60-62, and 71 of the instant application, the instant application was subject to an obligation of assignment to FormFactor, Inc. Applicants have submitted herewith a separate paper making the statements regarding common ownership or an obligation to assign to the same person required by the U.S. Patent and Trademark Office. See MPEP §706.02(1)(2), pg. 700-55; and "Guidelines Setting Forth a Modified Policy Concerning the Evidence of Common Ownership, or an Obligation of Assignment to the Same Person, as Required by 35 USC 103(c)," 1241 O.G. 96 (December 26, 2000). Grube having been removed as a reference, the rejection of claims 43, 44, 60-62, and 71 cannot stand.

In view of the foregoing, Applicants submit that all of the claims are allowable and the application is in condition for allowance. If the Examiner believes that a discussion with Applicants' attorney would be helpful, the Examiner is invited to contact the undersigned at (801) 536-6763.

Respectfully submitted,

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